

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

IN RE:

JIMMY D. SAYLOR, &
TAMMY M. SAYLOR,
DEBTORS

)
)
) BANKRUPTCY CASE NUMBER:
) 02-80576
) CHAPTER 13 CASE

JIMMY D. SAYLOR,

PLAINTIFF,

VS.

) A.P. #: 06-8035
)
)

SELECT PORTFOLIO SERVICING, INC.,

DEFENDANT.

APPELLANT'S STATEMENT OF ISSUE PRESENTED ON APPEAL


COMES NOW, the Appellant, by and through the undersigned attorney, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure and provides this statement of issue to be presented on appeal. The Appellant's issue on appeal is as follows:

ISSUE:

Whether the Bankruptcy Court erred in dismissing Appellant's Complaint pursuant to Rule 7012(b)(6) of the Federal Rules of Bankruptcy Procedure.

Respectfully submitted this 2nd day of March, 2007.

BROCK & STOUT



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CERTIFICATE OF SERVICE

I, the undersigned hereby certify that I have this date served a copy of the foregoing upon Michael E. Bybee, Esq., Attorney for Appellee, 2107 E. Fifth Ave. N., Suite 200, Birmingham, Alabama 35203, mbybee1@bellsouth.net, via United States Mail postage prepaid and fully addressed or by electronic mail this 2nd day of March, 2007.

A handwritten signature in black ink, appearing to read 'DGP', is written over a horizontal line.

David G. Poston